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December 24, 2011

Hon. Sterling Johnson  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza  
Brooklyn, N.Y. 11201

Re: United States v. John Burke  
09 Cr. 135 (SJ)

Dear Judge Johnson:

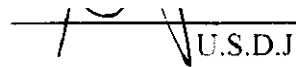
Your Honor has scheduled a conference in this case for January 20. Mr. Burke is having physical problems and is scheduled for biopsies on three growths on his neck. He requests that he therefore be excused from coming to court on that date. The trial is not scheduled until May 7, 2012.

Respectfully yours,

*Howard L. Jacobs*  
Howard L. Jacobs

SO ORDERED:

/s/(SJ)

 U.S.D.J.

cc: Mr. John Burke  
Reg. #72460-053  
Metropolitan Detention Center  
100 29<sup>th</sup> Street  
Brooklyn, N.Y. 11232